

REGULAR

27

JULY

2010

Public Hearing

Ohio County Public Facilities Corporation  
Lease Revenue Bonds, Series 2010 (Ohio County Hospital Project)

In the absence of Judge Executive Jones, Magistrate Richard Robinson opened the Public Hearing. Those present signed an attendance sheet (copy attached). Magistrate Robinson recognized Dirk Bedarff with Peck Shaffer, representing the Ohio County Hospital. Mr. Bedarff explained for all present the purpose of the bonding; what it will be used for; and, that the hearing is required pursuant to the Internal Revenue Code. There were no questions or comments from the public.

Magistrate Robinson closed the hearing.

3:30 P.M., Ohio County Community Center, Hartford, Ky

In the absence of Judge Executive Jones, the meeting was called to order by Magistrate Richard Robinson. Prayer by Hayward Dean Minton. Pledge to the American flag.

Those present were as follows:

David G. Jones	Absent
Gregory B. Hill	County Attorney
Cheryl Morris	Fiscal Court Clerk
Hayward D. Minton	Magistrate District 1
Jason Bullock	Absent
Richard Robinson	Magistrate District 3
Larry Keown	Magistrate District 4
Bill Burden	Magistrate District 5

Motion made by Esq. Minton that the Court approve the minutes of the regular meeting on July 6, 2010 as presented (on file in Fiscal Court Order Book, Clerk’s office):

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Absent

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve the bills, claims, payments and transfers as presented (copy on file, Clerk’s office).

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Absent

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve the Treasurer’s Financial Statement for the month of June 2010 as presented (copy on file, Clerk’s office).

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Absent

And said motion was unanimously adopted, and it is so ordered.

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Motion made by Esq. Minton that the Court approve the second reading and adoption of Ordinance No. 2011-2: AN ORDINANCE OF THE COUNTY OF OHIO, KENTUCKY AUTHORIZING AND DIRECTING THE OHIO COUNTY PUBLIC FACILITIES CORPORATION TO TAKE CERTAIN FORMAL ACTIONS AS THE AGENCY AND INSTRUMENTALITY AND AS THE CONSTITUTED AUTHORITY OF THE COUNTY OF OHIO, KENTUCKY; SPECIFICALLY AUTHORIZING, APPROVING AND DIRECTING THE ISSUANCE OF LEASE REVENUE BONDS, SERIES 2010 (OHIO COUNTY HOSPITAL PROJECT) OF OHIO COUNTY PUBLIC FACILITIES CORPORATION IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,750,000 FOR THE PURPOSE OF FINANCING IMPROVEMENTS TO THE OHIO COUNTY HOSPITAL, AUTHORIZING AND APPROVING A FIRST SUPPLEMENTAL TRUST INDENTURE BETWEEN THE OHIO COUNTY PUBLIC FACILITIES CORPORATION AND U.S. BANK NATIONAL ASSOCIATION, AND AUTHORIZING AND APPROVING A FIRST SUPPLEMENTAL LEASE AND SUBLEASE, AMONG THE COUNTY OF OHIO, KENTUCKY, OHIO COUNTY PUBLIC FACILITIES CORPORATION AND OHIO COUNTY HOSPITAL CORPORATION; AND AUTHORIZING OTHER ACTIONS IN CONNECTION THEREWITH (copy on file in Ordinance Book, Clerk’s office).

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Abstain
Burden	Yes
Jones	Absent

Said motion having carried three (3) to zero (0) with one abstention, it is so ordered.

Motion made by Esq. Minton that the Court approve the Treasurer’s FY 2009-2010 Annual Statement as presented (copy on file, Clerk’s office).

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Absent

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Burden that the Court approve the order of the Ohio County Board of Health establishing the special ad valorem public health tax rate of 3.5 cents per \$100 assessed value for real and personal property and 3.5 cents per \$100 assessed value for motor vehicles in the year of 2010, as approved by William D. Hacker, M.D., Commissioner, Department for Public Health (copy attached).

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Absent

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve to appropriate \$750 to Audubon Area Community Services for the fiscal year 2010-2011 Foster Grandparent Program.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Absent

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve to appropriate \$500 to Audubon Area Community Services for the fiscal year 2010-2011 Senior Companion Program and \$500 to Audubon Area Community Services for the 2010-2011 R.S.V.P. Program.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Absent

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And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve to provide, as in-kind services, the gravel base necessary to build a new and separate access road into the Ohio County Airport for not only a haul road, but also as a more direct road onto the airport property

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Absent

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Robinson that the Court approve to go into Closed Session for the discussion of pending litigation on behalf of the Fiscal Court. No other business will be discussed during the Closed Session and no official action shall be taken or consensus made by the Fiscal Court. The legal authority that allows us to go into closed session is KRS 61.810(1)(c) which authorizes the Fiscal Court to have discussions of proposed or pending litigation against or on behalf of the public agency. The legal reason we are going into closed session is for discussion of pending litigation.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Absent

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve to go back into Open Session. No other business was discussed or action taken during Closed Session except what was stated by me before going into Closed Session regarding pending litigation.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Absent

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Robinson that the Court approve to take a brief recess for the purpose of convening a meeting of the Ohio County Public Facilities Corporation.

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Absent

And said motion was unanimously adopted, and it is so ordered.

OHIO COUNTY PUBLIC FACILITIES CORPORATION

MINUTES OF MEETING

JULY 27, 2010

Members Present:

Hayward Dean Minton	Board of Director
Richard Robinson	Vice-President
Larry Keown	Secretary/Treasurer
Bill Burden	Board of Director

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Members Absent:

David Jones  
Jason Bullock

The meeting is called to order by Vice-President Richard Robinson at approximately 4:30 p.m.

Motion made by Bill Burden that the Ohio County Public Facilities Corporation approve Resolution No. 2011-07-27 regarding the issuance of Ohio County Hospital Projects lease revenue bonds not to exceed \$3,750,000 at the direction of the County of Ohio, Kentucky; authorizing the execution of a supplemental indenture and supplemental lease and sublease; providing for the sale of said bonds; and authorizing other actions in connection therewith (copy attached).

The motion was seconded by Hayward Dean Minton and the vote was taken and recorded as follows:

Hayward Dean Minton	Yes
Richard Robinson	Yes
Larry Keown	Abstain
Bill Burden	Yes

Said motion having carried three (3) to zero (0) with one abstention, it is so ordered.

Motion made by Richard Robinson to adjourn the meeting of the Ohio County Public Facilities Corporation.

The motion was seconded by Bill Burden and the vote was taken and recorded as follows:

Hayward Dean Minton	Yes
Richard Robinson	Yes
Larry Keown	Yes
Bill Burden	Yes

And said motion was unanimously adopted, and it is so ordered.

The meeting of the Ohio County Public Facilities Corporation is adjourned.

sig/Larry Keown  
Larry Keown, Secretary/Treasurer

July 27, 2010  
Date

Motion made by Esq. Robinson that the Court approve to re-convene the July 27, 2010 Ohio County Fiscal Court meeting.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Absent

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve to authorize the County Clerk to perform her statutory duties.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Absent

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve to authorize Charlie Shields, EMA Director to correspond with KY Emergency Management and FEMA concerning all required documents related to the January 2009 ice storm disaster and actively pursue all avenues to expedite outstanding payments.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Absent

And said motion was unanimously adopted, and it is so ordered.

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Motion made by Esq. Robinson that the meeting is adjourned.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Absent

And said motion was unanimously adopted, and it is so ordered.

Meeting is adjourned.

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David Jones, Judge Executive

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Cheryl Morris, Fiscal Court Clerk